

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANTON ANTWAIN JONES,)	
)	
Plaintiff,)	Civil Action No. 03 - 1585
)	
vs.)	
)	Judge Thomas M. Hardiman /
DAVID DAY; CONNOR BLAINE;)	Magistrate Judge Lisa Pupo Lenihan
SHARON D'ELETO; PAU STOWITSKY;)	
THOMAS JAMES,)	
)	
Defendants.)	

ORDER

AND NOW, this 24th day of January, 2006;

IT IS HEREBY ORDERED that the parties are allowed until February 20, 2006,
to file motions for summary judgment.

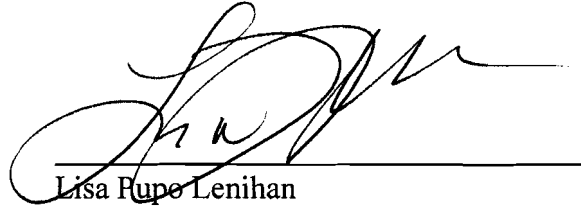
IT IS FURTHER ORDERED that responses to dispositive motions shall be due
no later than March 20, 2006. Plaintiff is advised that his response to any dispositive motion may
include opposing or counteraffidavits (executed by the plaintiff or other persons) which have either
been sworn to under oath (notarized) or include at the end of the document, immediately before the
plaintiff's signature, the following in accordance with 28 U.S.C. § 1746: "I declare under penalty of
perjury that the foregoing is true and correct. Executed this ____ day of _____, 20 ____.

IT IS FURTHER ORDERED that all affidavits, opposing or counteraffidavits must be based upon the personal knowledge of the person executing the affidavit; that no affidavit, amended complaint, pretrial narrative or other document containing plaintiff's allegations will be considered when determining the motion for summary judgment unless it has been notarized before a notary public or unless it contains a declaration under penalty of perjury as set forth above; that plaintiffs may attach to their affidavits copies of any depositions, answers to interrogatories, institutional records or other documents they wish this court to consider when addressing the summary judgment motion; and that the motion for summary judgment will be evaluated under the procedure standard set forth in Rule 56 of the Federal Rules of Civil Procedure; and that failure to respond may result in entry of judgment against them.

IT IS FURTHER ORDERED that plaintiff shall serve upon defense counsel a copy of every pleading or other document submitted for consideration by the court and shall include on the original document filed with the Clerk of Court a certificate stating the date a true and correct copy of the pleading or document was mailed to counsel. Any pleading or other document received by a District Judge or Magistrate Judge which has not been filed with the Clerk or which fails to include a certificate of service may be disregarded by the Court.

PLAINTIFF IS DIRECTED TO ACKNOWLEDGE RECEIPT OF THIS ORDER BY SIGNING THE ENCLOSED ACKNOWLEDGMENT FORM AND RETURNING IT TO THE COURT WITHIN 10 DAYS OF THIS DATE. PLAINTIFF IS WARNED THAT FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS PARAGRAPH MAY LEAD TO THE DISMISSAL OF HIS LAWSUIT FOR FAILURE TO PROSECUTE AND FOR FAILURE TO COMPLY WITH AN ORDER OF THE COURT.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

A handwritten signature in black ink, appearing to read 'Lisa Rupo Lenihan', is written over a horizontal line.

Lisa Rupo Lenihan
U.S. Magistrate Judge

cc: ANTON ANTWAIN JONES
CS-5884
SCI Smithfield
1120 Pike Street
P.O. Box 999
Huntingdon, PA 16652

Scott A. Bradley
Office of the Attorney General
564 Forbes Avenue
6th Floor, Manor Complex
Pittsburgh, PA 15219